

REMARKS

As a preliminary matter, Applicant's Attorney is grateful for the courtesy shown by the Examiner during the February 17, 2005 informal phone interview during which the December 3, 2004 Office Action was discussed. During the phone conference, no decision was reached. Potential amendments to the claims were discussed, as was the Examiner's September 16, 2004 Restriction. With regard to the Restriction, the Examiner agreed that independent claims 1 and 13 are generic to all the species identified. The Examiner noted that his September 16 Restriction and December 3, 2004 Office Action failed to indicate this, and agreed that this was an oversight. The Examiner further agreed that the Restriction Requirement will be withdrawn if any independent claims are allowed that are generic to all of the identified species. Because claims 1 and 13 in their amended form remain generic to all identified species, all claims in the present application remain pending.

All of the claims stand rejected as anticipated by one or more of U.S. Patent No. 5,758,465 to Logue ("the '465 patent"), PCT Publication No. WO 92/21266 to Marietta ("the '266 publication") and/or U.S. Patent No. 5,937,609 to Roth ("the '609 patent"). The claims have been amended herein to better reflect particular embodiments of the present invention. In their amended form, the claims include elements not disclosed or suggested by any of the cited references. Accordingly, the claims in their present form are allowable over the cited prior art.

Independent claim 1 stands rejected as anticipated by the '465 patent. Claim 1 has been amended to recite, among other things, a mounting portion that has a

hole configured for engaging the fastener and a plurality of anti-rotation elements on the mounting portion spaced apart from the hole. The '465 patent fails to disclose these elements. The Examiner has cited the fastening screw of the '465 patent as being an anti-rotation element. It is submitted that the fastener, however, generally forms an axis and therefore does not resist rotation. Further, the fastener cannot be a plurality of anti-rotation elements and is not spaced apart from the hole as is claimed by claim 1. Claim 1 is therefore submitted to be allowable. Claims 2, 3, 5, 7, 8, 10, 11 and 12 all depend from claim 1 and are submitted to be allowable for the same reasons as claim 1, in addition to other reasons. The rejection based on the '465 patent is respectfully traversed.

Claim 13 stands rejected as anticipated by the '465 patent, the '609 patent and the '266 publication. Claim 13 has been amended to recite, among other things, a mounting portion having parallel top and bottom planar surfaces with a hole extending therebetween, the top surface configured for engaging the substrate, and at least one anti-rotation element on the top surface and spaced apart from the hole. The Examiner has cited the fastening screw of the '465 patent and the '266 publication as being an anti-rotation element. It is submitted that the fastening screw, however, is not spaced apart from the hole on the top surface as is claimed. The Examiner has cited the lip that defines the threaded hole of the '609 patent as being an anti-rotation element (it is noted that the Office Action refers to element 15 of FIG. 7 of the '609 patent, but it is believed that element 21 of FIG. 1 is intended since element 15 is identified in the '609 patent as a hole). It is submitted that this cannot satisfy the recited element of being spaced apart from the hole, however, since the lip defines the hole. See, the '609 patent, col. 3, lines

35-40. Also, it is submitted that the circular lip is not configured to counteract a moment acting upon the rod hanger to prevent rotation as is claimed. Independent claim 13 is therefore submitted to be allowable over the references and the rejections are traversed.

Claims 14, 15, 16, 17, 18, 20 and 21 are allowable for the same reasons as are claim 13, in addition to for other reasons. Claims 14-18 and 21 for example, each recite, among other things, a different particular configuration for the at least one anti-rotation element. The cited references fail to disclose the claimed configurations.

New claims 23-29 have been presented for consideration. Each of these claims depends from either independent claim 1 or independent claim 13 and is therefore submitted to be allowable. These claims are also allowable for other reasons. For example, new claim 23 depends from claim 1 and recites that the plurality of anti-rotation elements are uniformly spaced from the hole. New claim 26 depends from claim 1 and recites, among other things, that the hole is coincident along the plane of the mounting portion and defines a circumference of 360°. Claim 26 also recites that the plurality of anti-rotation elements comprise four anti-rotation elements uniformly spaced from the hole and spaced from one another by about 90° along the circumference of the hole.

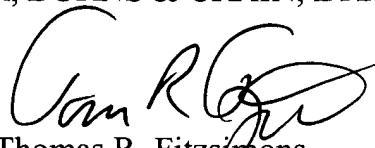
New claim 27 recites, among other things, that the plurality of anti-rotation elements of claim 1 comprises at least four anti-rotation elements. New claim 28 depends from claim 13 and recites, among other things, that the at least one anti-rotation element comprises a plurality of anti-rotation elements uniformly spaced from the hole on the top surface along a radial direction. New claim 29 depends from claim 13 and recites, among other things, that the mounting portion has four corners and that the at least one

anti-rotation element comprises four anti-rotation elements, each proximate to a corresponding one of the corners. The cited references fail to disclose the elements claimed by new claims 23-29 with the result that these claims are submitted to be allowable.

As a result of the amendments made herein all the claims in their current form are allowable over the cited prior art. Further, all claims remain pending since independent claims 1 and 13 are generic to all of the species identified in the September 16 Restriction Requirement. Timely examination and allowance is respectfully requested. Should the Examiner discover there are remaining issues which may be resolved by a telephone interview, he is invited to contact Applicant's undersigned attorney at the telephone number listed below, or Lisa Soltis, Applicant's primary attorney, at (847) 657-7980. All correspondence should continue to be directed to Ms. Soltis at the correspondence address of record.

Respectfully submitted,

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